

AMENDED IN ASSEMBLY JANUARY 21, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## Assembly Concurrent Resolution

No. 31

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**Introduced by Assembly Member ~~Ruskin~~ Members *Ruskin and Block***

February 23, 2009

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Assembly Concurrent Resolution No. 31—Relative to the ~~California Community Colleges~~ *California Holocaust Memorial Week*.

### LEGISLATIVE COUNSEL'S DIGEST

ACR 31, as amended, ~~Ruskin. California Community Colleges: faculty.~~ *California Holocaust Memorial Week.*

*This measure would proclaim April 12 through April 18, 2010, as California Holocaust Memorial Week and would urge Californians to observe these days of remembrance for the victims of the Holocaust in an appropriate manner.*

~~This measure would express the intent of the Legislature that the California Community Colleges increase the number of full-time tenured and tenure-track faculty and increase salaries and specified benefits for part-time and nontenure-track faculty.~~

Fiscal committee: ~~yes-no.~~

- 1     ~~WHEREAS, The Holocaust was a tragedy of proportions the~~
- 2     ~~world had never before witnessed; and~~
- 3     ~~WHEREAS, More than 60 years have passed since the tragic~~
- 4     ~~events we now call the Holocaust transpired, in which the~~
- 5     ~~dictatorship of Nazi Germany murdered six million Jews as part~~
- 6     ~~of a systematic program of genocide known as "The Final Solution~~
- 7     ~~of the Jewish Question"; and~~

1     *WHEREAS, Jews were the primary victims, but they were not*  
2     *alone. Five million other people were murdered in Nazi*  
3     *concentration camps as part of a carefully orchestrated,*  
4     *state-sponsored program of cultural, social, and political*  
5     *annihilation under the Nazi tyranny; and*

6     *WHEREAS, We must recognize the heroism of those who*  
7     *provided assistance to the victims of the Nazi regime, including*  
8     *the many soldiers who liberated concentration camps and provided*  
9     *comfort to those suffering; and*

10    *WHEREAS, We must teach our children and future generations*  
11    *that the individual and communal acts of heroism during the*  
12    *Holocaust serve as a powerful example of how our nation and its*  
13    *citizens can, and must, respond to acts of hatred and inhumanity;*  
14    *and*

15    *WHEREAS, We must always remind ourselves of the horrible*  
16    *events of the Holocaust and remain vigilant against hatred,*  
17    *persecution, and tyranny lest these atrocities be repeated; and*

18    *WHEREAS, We, the people of California, should actively*  
19    *rededicate ourselves to the principles of human rights, individual*  
20    *freedom, and equal protection under the laws of a just and*  
21    *democratic society; and*

22    *WHEREAS, Each person in California should set aside moments*  
23    *of his or her time every year to give remembrance to those who*  
24    *lost their lives in the Holocaust; and*

25    *WHEREAS, The United States Holocaust Memorial Council*  
26    *has designated April 11 through April 18, 2010, as the Days of*  
27    *Remembrance of the Victims of the Holocaust, including the*  
28    *International Day of Remembrance, known as Yom HaShoah, on*  
29    *April 11, 2010; and*

30    *WHEREAS, According to Elie Wiesel, a Holocaust survivor,*  
31    *Nobel Laureate, and internationally recognized scholar, "... a*  
32    *memorial unresponsive to the future would violate the memory of*  
33    *the past"; now, therefore, be it*

34    **RESOLVED BY THE ASSEMBLY OF THE STATE OF**  
35    **CALIFORNIA, THE SENATE THEREOF CONCURRING, That**  
36    *April 12 through April 18, 2010, be proclaimed "California*  
37    *Holocaust Memorial Week," and that Californians are urged to*  
38    *observe these days of remembrance for victims of the Holocaust*  
39    *in an appropriate manner; and be it further*

1     RESOLVED, *That the Chief Clerk of the Assembly transmit*  
2 *sufficient copies of this resolution to the author for appropriate*  
3 *distribution.*

4     ~~WHEREAS, An increasing percentage of the courses offered~~  
5 ~~in public colleges and universities in California are being taught~~  
6 ~~by part-time and other nontenure-track faculty; and~~

7     ~~WHEREAS, The system of higher education within the~~  
8 ~~California Community Colleges has become dependent upon a~~  
9 ~~contingent workforce that is poorly compensated and too often~~  
10 ~~lacks basic supports, including health insurance; and~~

11     ~~WHEREAS, These twin developments, the economic~~  
12 ~~exploitation of part-time and other contingent faculty and the~~  
13 ~~shrinking of the ranks of full-time tenured faculty, limit the ability~~  
14 ~~of the state's public higher education system to provide~~  
15 ~~high-quality education, research, and support for economic~~  
16 ~~development; and~~

17     ~~WHEREAS, Providing sufficient numbers of faculty with~~  
18 ~~full-time tenured and tenure-track employment and improving the~~  
19 ~~conditions under which part-time and other nontenure-track faculty~~  
20 ~~work will result in better service for students, communities, and~~  
21 ~~the economy; and~~

22     ~~WHEREAS, Fair tax policies are the financial foundation of a~~  
23 ~~modern society; and~~

24     ~~WHEREAS, Property taxes are the most reliable revenue source~~  
25 ~~for public services; and~~

26     ~~WHEREAS, Proposition 13, an initiative measure approved by~~  
27 ~~voters at the June 6, 1978, direct primary election, moved education~~  
28 ~~decisionmaking to the state level and created difficulties in funding~~  
29 ~~education; and~~

30     ~~WHEREAS, Federal tax breaks have caused cuts in federal~~  
31 ~~support for higher education programs; and~~

32     ~~WHEREAS, Funds have been provided through the annual~~  
33 ~~Budget Act to assist community college districts; and~~

34     ~~WHEREAS, Many community college districts have made~~  
35 ~~substantial progress in increasing the number of full-time tenured~~  
36 ~~faculty, but too many districts have not; and~~

37     ~~WHEREAS, The principle of equal pay for equal work requires~~  
38 ~~that part-time faculty be provided with compensation that is directly~~  
39 ~~proportional to the compensation of full-time faculty; now,~~  
40 ~~therefore, be it~~

~~Resolved by the Assembly of the State of California, the Senate thereof concurring, That it is the intent of the Legislature that at least 75 percent of the full-time equivalent faculty on each campus of the California Community Colleges be tenured or tenure-track; and be it further~~

~~Resolved, That it is further the intent of the Legislature that all part-time and temporary faculty receive pay and benefits that are equal to those of tenured and tenure-track faculty of comparable qualifications doing comparable work, as determined on a pro rata basis; and be it further~~

~~Resolved, That each community college district should determine the number of undergraduate courses that will be taught by part-time, temporary, nontenured, tenure-track, and tenured faculty; and be it further~~

~~Resolved, That the longstanding policy of the Board of Governors of the California Community Colleges that at least 75 percent of the hours of credit instruction in the colleges be taught by full-time instructors should be advanced; and be it further~~

~~Resolved, That commencing in the fall term of the 2010-11 academic year, and continuing each academic term thereafter, each campus of a community college district with less than 75 percent of its full-time equivalent faculty being tenured and tenure-track faculty, should increase the percentage of full-time tenured and tenure-track faculty so that the 75 percent minimum is accomplished no later than the fall term of the 2017-18 academic year; and be it further~~

~~Resolved, That commencing with the fall term of the 2010-11 academic year, each campus of a community college district should reduce the gap between 75 percent and the current percentage of full-time equivalent faculty who are tenured or tenure-track by at least 10 percent each academic year; and be it further~~

~~Resolved, That each community college district should develop and adopt plans to meet the requirements related to increasing the percentage of full-time tenured and tenure-track faculty; and be it further~~

~~Resolved, That the development and adoption of plans related to increasing the percentage of full-time tenured and tenure-track faculty should be subject to a collective bargaining process that includes the exclusive representatives of the full-time and part-time faculty serving at that institution; and be it further~~

1 ~~Resolved, That each community college district should determine~~  
2 ~~a minimum salary goal for part-time and temporary faculty~~  
3 ~~employed on each campus that is prorated to the salaries of~~  
4 ~~full-time tenured faculty who have comparable qualifications and~~  
5 ~~do comparable work; and be it further~~

6 ~~Resolved, That commencing with the fall term of the 2010–11~~  
7 ~~academic year, each community college district should increase~~  
8 ~~part-time and nontenure-track faculty salary by an amount~~  
9 ~~sufficient to close any gap between the pro rata salaries of part-time~~  
10 ~~faculty and full-time faculty no later than the fall term of the~~  
11 ~~2017–18 academic year; and be it further~~

12 ~~Resolved, That the determination of the method of prorating~~  
13 ~~salaries should be subject to a collective bargaining process that~~  
14 ~~includes the exclusive representatives of faculty serving at that~~  
15 ~~institution; and be it further~~

16 ~~Resolved, That a community college district should reduce the~~  
17 ~~gap between the salaries of part-time and temporary faculty and~~  
18 ~~full-time tenured and tenure-track faculty by at least 15 percent~~  
19 ~~each academic year; and be it further~~

20 ~~Resolved, That if, during a calendar year, a part-time or other~~  
21 ~~nontenure-track faculty member of a community college district~~  
22 ~~teaches at least 40 percent of the number of hours per week that~~  
23 ~~is considered to be a full-time assignment for tenured and~~  
24 ~~tenure-track faculty, that part-time faculty member should be~~  
25 ~~eligible for the same health care benefits that are received by~~  
26 ~~tenured and tenure-track faculty at that campus; and be it further~~

27 ~~Resolved, That each community college district should establish~~  
28 ~~a process under which part-time and other nontenure-track faculty~~  
29 ~~may, after successful completion of a probationary period, receive~~  
30 ~~timely notice of, and priority consideration for, appropriate teaching~~  
31 ~~assignments in future academic terms and preferential consideration~~  
32 ~~for attaining a tenure-track position when one becomes available;~~  
33 ~~and be it further~~

34 ~~Resolved, That the process should ensure that part-time and~~  
35 ~~other nontenure-track faculty receive the accumulation of seniority,~~  
36 ~~notification about job openings at that institution prior to the~~  
37 ~~publication of announcements of those openings outside of that~~  
38 ~~institution, and preferential consideration for appointments to~~  
39 ~~tenure-track positions; and be it further~~

- 1     ~~Resolved, That the implementation of these requirements should~~  
2 ~~be subject to a collective bargaining process that includes the~~  
3 ~~exclusive representatives of the full-time and part-time faculty~~  
4 ~~serving at that institution; and be it further~~  
5     ~~Resolved, That each community college district should make~~  
6 ~~progress toward the goals described in this measure; and be it~~  
7 ~~further~~  
8     ~~Resolved, That the Chief Clerk of the Assembly transmit copies~~  
9 ~~of this resolution to the governing board of each district of the~~  
10 ~~California Community Colleges and to the author for distribution.~~